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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

FARES RUSTOM,

Plaintiff,

v.

**ACE AMERICAN INSURANCE
COMPANY**, a Pennsylvania corporation;
and **CHUBB INSURANCE SOLUTIONS
AGENCY INC.**, a Delaware corporation,

Defendants.

Civil No.: 3:18-cv-1061

NOTICE OF REMOVAL

(Multnomah County Circuit Court Case No.
18CV20543)

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. § 1332, 28 U.S.C. § 1441(b),
and 28 U.S.C. § 1446, defendants Ace American Insurance Company and Chubb Insurance
Solutions Agency Inc. file their Notice of Removal on the following grounds:

1. Defendants are named in a civil action filed in the Circuit Court for the State
of Oregon, for the County of Multnomah, entitled *Fares Rustom v. Ace American Insurance*

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Page 1

Company and Chubb Insurance Solutions Agency Inc., Case No. 18CV20543. Defendant Ace American Insurance Company is a Pennsylvania corporation with its principal place of business in Pennsylvania. Defendant Chubb Insurance Solutions Agency Inc. is a Delaware corporation with its principal place of business in New Jersey.

2. The state court action commenced when plaintiff's Complaint was filed with the Court Clerk of Multnomah County, Oregon, on or about May 21, 2018. Defendants first had notice of the lawsuit on May 22, 2018. Service of the Summons and Complaint on defendant Ace American Insurance Company has not been completed. Service of the Summons and Complaint on defendant Chubb Insurance Solutions Agency Inc. was completed on May 22, 2018. This Removal petition is timely, in that it is being filed within 30 days of the filing and service of the Summons and Complaint.

3. The following pleadings constitute all of the process, pleadings, and orders received by defendants in this action to date: The Complaint, Summonses and Affidavits of Service, true copies of which are attached as Exhibit A.

4. The controversy between plaintiff and defendants is a controversy between citizens of different states. Plaintiff Fares Rustom is an Oregon resident, whereas defendant Ace American Insurance Company is a Pennsylvania corporation with its principal place of business in Pennsylvania, and defendant Chubb Insurance Solutions Agency Inc. is a Delaware corporation with its principal place of business in New Jersey.

5. The above-entitled action is a civil action alleging breach of insurance contract sustained by plaintiff due to property damage to his yacht incurred as a result of a latent

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defect. In this action, plaintiff seek an award of economic damages in the amount of \$800,000, and attorney fees and costs.

6. Thus the amount in controversy in this matter exceeds \$75,000, exclusive of interest and costs, and is one where complete diversity exists between the plaintiff and the defendants.

7. This is a civil action over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1332, and the action is removable pursuant to 28 U.S.C. § 1446(b).

Defendant is currently filing a Notice to state court of Removal to Federal Court with the Clerk of the Multnomah County Circuit Court, in accordance with 28 U.S.C. § 1446(d).

DATED: June 18, 2018

BULLIVANT HOUSER BAILEY PC

By /s/ Ronald J. Clark
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